

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

C.A. No.4415/07, 4416/07 and 4417/2007 in LP A No.28/1993
Maltibai wd/o Manoharrao Naik and others.

Vs.

The State of Maharashtra and another

Office Notes, Office Memoranda of Coram
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's Orders

CORAM : **A.P. LAVANDE & R. V. MORE, JJ.**

DATED : 15th October, **2007**

Heard Mr. Kshirsagar, learned counsel for the appellants, Mr. A.M. Deshpande, learned AGP for respondent no.1 and Mr. H.N. Potbhare, learned counsel for proposed LR's. of respondent no.2.

All the three applications are being disposed of by common order.

At the outset, Mr. Potbhare, learned counsel for the proposed LR's. of respondent no.2 submits that Mrs. Prabha Naresh Limsey is the daughter and as such legal representative of deceased Kamlabai Jadhav and Naresh Limaye is not legal representative of deceased Kamlabai. He further submits that he will have no objection if Mrs. Prabha Nareshrao Limsey is brought on record in place of Naresh Limaye along with two other LR's. and he will file

Vakalatname on behalf of Mrs. Prabha w/o Nareshrao Limsey within a period of two weeks. He further submits that he will have no objection, if the proposed LR's. are brought on record in place of deceased Kamlabai.

Mr. Deshpande, learned AGP for respondent no.1 leaves the matter to the Court.

In view of the above, leave to amend Civil Application No.4416/2007 is granted. The appellants are permitted to substitute the name of Mrs. Prabha w/o Nareshrao Limsey in place of Nareshrao Limaye on record.

Amendment to be carried out forthwith.

Abatement of the appeal insofar as respondent no.2 is concerned is set aside. Delay of about nine years in filing the application is condoned. LR's. of respondent no. 2 are permitted to be brought on record in place of respondent no.2, subject to payment of costs of Rs. 750/- in favour of High Court Legal Services, Sub Committee, Nagpur within a period of four weeks.

Applications stand disposed of .

JUDGE

JUDGE

MLA.